

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:01CR3063
)	
Plaintiff,)	
)	
vs.)	MEMORANDUM
)	AND ORDER
LAMONT O. SMITH,)	
)	
Defendant.)	

Defendant has filed a 28 U.S.C. § 2255 motion (filing 156). Because this matter is currently pending before the United States Supreme Court, I shall order that Defendant's motion be held in abeyance until the certiorari question has been resolved by the United States Supreme Court.

IT IS ORDERED:

1. Defendant's motion (filing 156) filed pursuant to 28 U.S.C. § 2255 is held in abeyance until the certiorari question has been resolved by the United States Supreme Court;
2. The Clerk of the United States District Court for the District of Nebraska and the government shall notify the chambers of the undersigned when the certiorari question has been resolved by the United States Supreme Court.

December 15, 2005.

BY THE COURT:
s/ Richard G. Kopf
United States District Judge